

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
JAMES RUSSO,

Plaintiff,

- against -

:  
:  
: AFFIDAVIT OF  
SERVICE

MP222 LLC, 222 EAST 95<sup>th</sup> STREET  
OWNERS CORP., COMMISSIONER OF SOCIAL  
SERVICES OF THE CITY OF NEW YORK, NEW  
YORK STATE DEPARTMENT OF TAXATION  
AND FINANCE, NEW YORK CITY DEPARTMENT  
OF FINANCE, MERRILL LYNCH CREDIT  
CORPORATION and the INTERNAL REVENUE  
SERVICE OF THE UNITED STATES OF AMERICA,

:  
:  
: 07 Civ. 5469 (WHP)

Defendants.

-----X  
UNITED STATES OF AMERICA,

Counterclaim, Crossclaim  
and Third-Party Plaintiff,

- against -

JAMES RUSSO,

Counterclaim Defendant.

-and-

MP222 LLC, 222 EAST 95<sup>th</sup> STREET  
OWNERS CORP., COMMISSIONER OF SOCIAL  
SERVICES OF THE CITY OF NEW YORK, NEW  
YORK STATE DEPARTMENT OF TAXATION  
AND FINANCE, NEW YORK CITY DEPARTMENT  
OF FINANCE, MERRILL LYNCH CREDIT  
CORPORATION,

Crossclaim Defendants,

and

JAMES A. RUSSO, JOHN DOES NOS. 1-10 and  
JANE DOES NOS. 1-10,

Third-Party Defendants.

-----X  
STATE OF NEW YORK )

ss.:

COUNTY OF NEW YORK )

JILLIAN LORE, being duly sworn, deposes and says:

1. I am not a party to this action, am over 18 years of age, and reside in the  
County of New York, New York.

2. On March 26, 2008, at 9:10 a.m., I served of a copy of the Notice of  
Motion To Confirm and Amend the Default Declaratory Judgment and the Affidavit of  
Richard C. Agins, Esq. in support thereof, with all exhibits, on behalf of Defendant  
NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE, by  
delivering same by hand to:

Managing Attorney's Office  
Office of the Attorney General of the State of New York  
New York State Department of Law  
120 Broadway - 24th Floor  
New York, New York 10271-0332

3. Also on March 26, 2008, by Overnight Mail, copies of the Notice of  
Motion To Confirm and Amend the Default Declaratory Judgment and the Affidavit of  
Richard C. Agins, Esq. in support thereof, with all exhibits, were served to:

JOSEPH T. COLARSURDO, ESQ.  
JOSEPH T. COLARSURDO & ASSOCIATES, P.C.  
*Attorneys for Merrill Lynch Credit Corporation*  
2900 Westchester Avenue - Suite 206  
Purchase, New York 10577

JOSEPH H. LESSEM, ESQ.  
GRAUBARD MILLER  
*Attorneys for MP222, LLC*  
405 Lexington Avenue  
New York, New York 10174

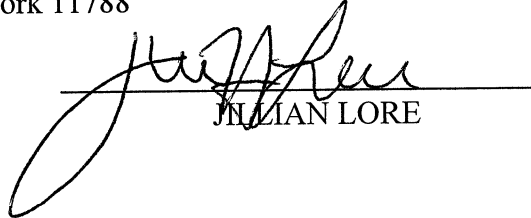
JOHN A. COLEMAN, JR., ESQ.  
FRIEDBERG, COHEN, COLEMAN & PINKAS, LLP  
*Attorneys for 222 East 95<sup>th</sup> Street Owners Corp.*  
444 Madison Avenue  
New York, New York 10022

MICHAEL A. CARDOZO, ESQ.  
Corporation Counsel of the City of New York  
*Attorney for the Department of Social Services of the City of New York and the New York City Department of Finance*  
By: MARIAN MASS, ESQ.  
Assistant Corporation Counsel  
100 Church Street, Room 3-249  
New York, New York 10007

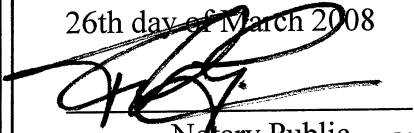
MICHAEL J. GARCIA, ESQ.  
United States Attorney for the Southern District of New York  
*Attorney for the United States of America*  
By: KATHLEEN A. ZEBROWSKI, ESQ.  
Assistant United States Attorney  
86 Chambers Street  
New York, New York 10007

MICHAEL VOLLBRECHT, ESQ.  
*Attorney for Mason Tenders District Council Welfare Fund, Pension Fund, Annuity Fund, Asbestos Training Program Fund, Industry Fund, Legal Services Fund, Building Contractors Advancement Program and Paul D. Ragone in his fiduciary capacity as Administrator*  
17 State Street  
New York, New York 10004

COURTESY COPY TO:  
ASSISTANT ATTORNEY GENERAL ALAN GITTER  
OFFICE OF THE ATTORNEY GENERAL OF THE STATE  
OF NEW YORK  
NEW YORK STATE DEPARTMENT OF LAW  
Suffolk Regional Office  
300 Motor Parkway  
Happaugue, New York 11788

  
JULIAN LORE

Sworn to before me this  
26th day of March 2008



Notary Public  
RICHARD C. AGINS  
Notary Public, State of New York  
No. 02AG5028148  
Qualified in New York County  
Commission Expires 08/31/2012